thermoplastic resin and formed into fibrous webs. Rouss au teaches that fibrous materials that include blends of the specific compounds have enhanced electret properties. The specific compounds and oligomers described by Rousseau either (i) contain at least one prefluorinated moiety (col. 2, lines 41-44 and see R_f in the compounds illustrated in Rousseau) or (ii) are triazine compounds with at least one additional nitrogen containing group (col. 8, lines 40-43 and col. 9, line 58). Perfluorinated moieties are hydrocarbon moieties in which the hydrogen atoms have been replaced with fluorine atoms (for example, see Examples 1-20). Generally, triazine compounds are compounds containing a six-membered ring of three nitrogens and three carbons in alternating ring positions (for example, see Examples 21-25). These compounds and oligomers are immiscible with polyolefins.

Bates describes a method of matching a modifying polyolefin and a primary polyolefin to produce a miscible blend. Bates teaches that a modifying polyolefin can be matched with a primary polyolefin by selecting a modifying polyolefin that has a similar molecular configuration per unit volume (col. 2, lines 12-18), more specifically by selecting a modifying polyolefin that has a similar segment length or statistical segment length, as the primary polyolefin (col. 2, lines 18+). For example, Bates teaches selecting modifying polyolefins having segment lengths within 85 - 115 percent of segment length of the primary polyolefin (col. 3, lines 35-38) to produce a miscible blend. Integral to the teaching of Bates is "two or more polyolefins can be made melt-miscible if their respective segment lengths are made to be approximately equal" (col. 7, lines 3-5). Thus, application of the teachings of Bates to Rousseau would lead one of ordinary skill in the art to select one of the compounds or oligomers as taught and required by Rousseau, that is compounds or oligomers (i) that contain at least one prefluorinated moiety or (ii) a triazine compound with at least one additional nitrogen containing group, and select or modify such the compound or oligomer to have a segment length within 85-115 percent of segment length of the primary polyolefin. The selected compound or oligomer having the desired segment length would still be a member of one of the two classes of compounds described by Rousseau and thus would either contain (i) at least one prefluorinated moiety or (ii) a triazine compound and at least one additional nitrogen. The resulting modified compound or oligomer is not a telomer.

Additionally, the perfluorinated and triazine additives described by Rousseau are highly hydrophobic and cannot be modified and made miscible with a polyolefin by adopting the teachings of Bates. A person of ordinary skill the art would recognize that the perfluorinated and triazine additives are not and cannot be modified to be made miscible with a polyolefin. Therefore, a person of ordinary skill in the art would not use the teachings of Bates to modify the compounds or oligomers described by Rousseau. The combination of Rousseau and Bates is improper.

Notwithstanding the above comments, Bates goes on to teach that functionalization of the modifying polymer is used to provide the blend of the polyolefin and the modifying polyolefin with increased surface polarity, paintability, bondability and adhesion and to provide antistatic properties (col. 22, line 38+, especially col. 23, lines 18-21 and 52-65). Antistatic properties are not desirable in electret materials as discussed in the previous responses and in the Declaration submitted with one of the previous responses. The other properties that Bates teaches are improved by functionalizing the modifying polymer relate to increasing the hydrophilicity of the blend. A person of ordinary skill in the art would not attempt to impart an electrostatic charge on a hydrophilic material because adsorption of water molecules on the surface of the hydrophilic material would rapidly screen and/or compensate the electrostatic charge. The hydrophilic material would exhibit no external electrical field and therefore would not be an electret. Likewise, a person of ordinary skill in the art also would not attempt to increase the hydrophilicity of a hydrophobic electret material. Accordingly, a person of ordinary skill in the art would not functionalize the additives taught in Rousseau or modifying polymer taught in Bates to provide or otherwise modify an electret material.

Applicant submits that Bates fails to teach replacing the resin additive of Rousseau with a telomer or telechelic polymer. Applicant also submits that Bates fails to teach modifying the resin additive of Rousseau to form a telomer or telechelic polymer. Furthermore, persons of ordinary skill in the art would not replace the resin additive of Rousseau with a telomer or telechelic polymer or modify the resin additive to produce a telomer or telechelic after a thorough reading and understanding of Bates. Accordingly, Applicant submits that the rejection of Claims 1-13, 16-23, 25 and 26 as being unpatentable over Rousseau in view of Bates is improper and should b withdrawn. Likewise, Applicant submits that the rejection of Claims 14, 15 and 24 as being

unpatentable over Rousseau in view of Bates and Midkiff is also improper and should be withdrawn.

Applicant respectfully submits that the references fail to disclose, teach or suggest, in the sense of 35 U.S.C. §103(a), an electret comprising a first polymeric material having a charge and a miscible thermoplastic telomer. Applicant submits that the present application is in condition of allowance. Therefore, Applicant requests that the pending rejections be withdrawn and a Notice of Allowance issued. Should any questions arise with regard to this application the Examiner is encouraged to contact the undersigned at (770)-587-8620.

Please charge any prosecutional fees which are due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875.

Respectfully submitted,

David L. Myers et al.

By: _____

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